

Strengthening Seat Belt Use Laws Increase Belt Use Decrease Fatalities and Injuries

Traffic crashes are a leading cause of death in the United States. Wearing seat belts is the easiest and most effective way of cutting the highway death toll—and strong occupant protection laws are the most effective way of increasing safety belt use. Highway deaths could be cut dramatically if states upgraded their laws to improve coverage and enforcement. A model state safety belt use law is available from NHTSA.

Make All Belt Use Laws Subject to Primary Enforcement

Definitions:

Primary Enforcement: A citation can be written whenever a law officer observes an unbelted driver or passenger.

Secondary Enforcement: A citation can only be written after an officer stops the vehicle for some other infraction.

- As of September 1996, 11 states have primary laws in effect. Thirty-eight states have secondary enforcement laws and one state has no safety belt use law.
- In 1995, states with primary belt laws averaged 14 percentage points higher belt use than those with secondary laws (75 versus 61 percent).
- Primary enforcement sends a message to motorists that belt use is an important safety issue that the state takes seriously.

- California's experience in changing to primary enforcement on January 1, 1993, provides strong evidence of the benefits of primary enforcement laws. Statewide driver seat belt use increased from 70 percent in 1992 to 83 percent in late 1993 after the state changed to primary enforcement.
- In attitude surveys, officers consistently preferred primary laws and report that a secondary enforcement law is a major deterrent to issuing citations.
- The National Transportation Safety Board issued a Safety Recommendation to all states in support of primary enforcement. The Board also favors adequate fine levels and the imposition of driver license penalty points in state use laws.

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Protect All Vehicle Occupants in All Passenger Vehicles

- Extend protection to rear seat occupants. Most laws currently apply only to the driver and front seat passengers. All vehicle occupants should buckle up.
- Extend coverage to all types of personal vehicles. Some states exempt occupants of pickup trucks, vans, and other light trucks, yet most of these vehicles are used for personal transportation.
- Prohibit passengers from riding in the cargo bed of pickup trucks. To avoid excessive risk, passengers should ride only in seating areas equipped with safety belts.

Emphasize Enforcement and Levy Significant Fines

- Experience shows that belt use goes up when safety belt laws are actively enforced. In Elmira, NY, a well-publicized, two wave enforcement effort from 1985-1986 raised belt use from 50 percent to 83 percent.
- In Canada—where laws are primary, fines are adequate and use is encouraged with periodic waves of strict, well-publicized enforcement—belt use averages 92 percent. Eight provinces average above 90 percent. The United States, by contrast, averages 68 percent.

- Fines currently range from \$5 in Idaho to \$95 in Oregon. The most common fine (in 29 states) is \$20 or \$25. Two states—Rhode Island and Wyoming—have no fines. An adequate fine is a measure of effectiveness. A 1995 NHTSA study of the effect of various provisions of safety belt use laws found that for each \$1 in fine level states tend to realize about 0.08 percent higher belt use. That is, a state with a \$20 fine would tend to have a use rate that is 8 percent higher than a state with a \$10 fine.

Conduct Combined Public Awareness and Enforcement Campaigns

- After statewide enforcement and publicity efforts in October 1993 and July 1994 (with 6,364 checkpoints, 58,883 belt and 3,728 child seat citations), North Carolina's belt use rose from 65 percent to 81 percent. A phone survey revealed that 85 percent were aware of the effort and 87 percent supported it. A multi-year statewide program is now underway.
- An effective publicity campaign should stress the safety value of belts and support the active enforcement of belt laws. Publicity and enforcement must go hand-in-hand.
- Revenue from belt law fines can be used to help fund publicity efforts. Revenues can also help support programs for distributing car seats through hospitals and community groups.

Recommendations From The National Transportation Safety Board

The National Transportation Safety Board issued a Safety Recommendation on June 20, 1995 which recommends "that States and the District of Columbia that have secondary enforcement of mandatory safety belts use laws and the States without mandatory use laws: Enact legislation that provides for primary enforcement of mandatory safety belt use laws. Consider provisions such as adequate fine levels and the imposition of driver license penalty points."

Urge Parents To Carry Children In The Rear Seat

- ***The rear seat is the safest place for children of all ages.***
- ***Infants (less than one year of age) should never be carried in the front seat of a car or truck with a passenger-side air bag.***
- ***Infants must always ride in the rear seat, facing the rear of the car.***
- ***Children should not ride with the shoulder belt tucked under their arm or behind their back.***
- ***Make sure everyone is correctly buckled up. Unbelted, or improperly belted occupants can be hurt or killed by the deploying air bag.***

These reports and additional information are available through your State Office of Highway Safety, the NHTSA Regional Office serving your state, or from NHTSA Headquarters, Traffic Safety Programs, NTS-10, 400 Seventh Street, S.W., Washington, D.C. 20590.